

UNITED STATES DISTRICT COURT

for the

District of South Dakota

IN THE MATTER OF THE SEARCH OF:)

) Case No. 5:19-mj-115

The content of the encrypted compressed storage file)
containing the search warrant production of Snapchat)

User Account: Billysays605)

downloaded and currently in the possession of ICAC)

)

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (*identify the person or describe the property to be searched and give its location*):

SEE "ATTACHMENT A" attached to and incorporated in this Application and Affidavit

located in the District of South Dakota, there is now concealed (*identify the person or describe the property to be seized*):

SEE "ATTACHMENT B", which is attached to and incorporated in this Application and Affidavit

The basis for the search under Fed. R. Crim. P. 41(c) is (*check one or more*):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i> [18 U.S.C. § 2422(b)]	<i>Offense Description</i> [Enticement of a Minor Using the Internet]
--	--

The application is based on these facts:

- Continued on the attached affidavit, which is incorporated by reference.
- Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.
- Your applicant requests that no notice be given prior to the execution of the search warrant, i.e., "no knock", the basis of which is set forth in the attached affidavit.
- Your applicant requests authorization to serve the search warrant any time day or night pursuant to Fed. R. Crim. P. 41(e)(2)(A)(ii), the basis of which is set forth in the attached affidavit.

Collins for,

Affiant Signature

Sarah B. Collins, Assistant U.S. Attorney

Printed Name and Title

Sworn to before me and: signed in my presence.

submitted, attested to, and acknowledged by reliable electronic means.

Date: 9-13-19

Danetta Wollmann

Judge's signature

City and state: Rapid City, SD

Daneta Wollmann, U.S. Magistrate

Printed name and title

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DISTRICT

IN THE MATTER OF THE SEARCH OF:
The content of the encrypted
compressed storage file containing the
search warrant production of Snapchat
User Account: Billysays605
downloaded and currently in the
possession of ICAC

CR 5:19-mj-115
[REDACTED] Redacted
**AFFIDAVIT IN SUPPORT OF
SEARCH WARRANT
APPLICATION**

State of South Dakota)
)
) ss
County of Pennington)

INTRODUCTION AND AGENT BACKGROUND

I, Brian Freeouf, Investigator with the Pennington County Sheriff's Office (PCSO) and currently assigned to the South Dakota Internet Crimes Against Children Taskforce (ICAC), being duly sworn, states as follows:

1. I began my law enforcement career with Pennington County in July of 2005. I spent approximately 3 years on patrol in the contract community of Wall, SD. I was then assigned to the patrol division in Rapid City in 2008. I was promoted to the rank of Senior Deputy in July of 2010. I also spent time as a School Liaison Officer and Criminal Investigations Division as a Property Crimes Investigator. Even though I was assigned as a Property Crimes Investigator I also investigated other crimes including, but not limited to, homicides, rapes, assaults, and coroner duties. My other assignments within the Sheriff's Office include Deputy Coroner, Field Training Deputy, and Defensive Tactics Training Administrator. Due to the placement on ICAC, I have also been given the title of Special Assistant Attorney General of the State of South Dakota.

2. I have investigated and assisted in the investigation of cases involving the enticement of minors using the internet in violation of federal law to include violations of United States Statutes 18 U.S.C. § 2422(b). During my law enforcement-career, I have become familiar with the *modus operandi* of persons involved in the enticement of minors using the internet. Based on my experience and training, I am knowledgeable of the various means utilized by individuals who exploit children utilizing the internet.

3. I have been informed that 18 U.S.C. § 2422(b) makes it a crime for a person to use the internet or any other means, which affects interstate commerce, to attempt to knowingly persuade, induce, entice, and coerce a person who has not attained the age of 18 years to be caused to engage in a criminal sex act.

4. The facts set forth in this affidavit are based on my personal knowledge, knowledge obtained from other individuals, including other law enforcement officers, interviews of persons with knowledge, my review of documents, interview reports and computer records related to this investigation, communications with others who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience. This affidavit contains information necessary to support probable cause for this application and does not contain every material fact that I have learned during the course of this investigation; however, I have not withheld information known to me that would tend to negate probable cause has

been withheld from this affidavit.

ITEMS TO BE SEARCHED FOR AND SEIZED:

5. Please see Attachment B.

6. Your affiant respectfully submits that there is probable cause to believe that John Sanders committed the crimes of distribution, receipt, and possession of child pornography using Snapchat account: Billysays605, and that evidence of those crimes will be found in the content of the encrypted compressed storage file provided to me on Snapchat's law enforcement portal in response to a previous executed search warrant. I downloaded the file, but did not review the contents of the file, nor did I provide access to the file for anyone else to view. The downloaded file is currently in the possession of ICAC.

7. It is my understanding that I must seek this additional warrant to review the responsive materials out of an abundance of caution to comply with the issue raised in dicta in the recent decision in *United States v. Nyah*, 928 F.3d 694 (8th Cir. 2019).

DEFINITIONS

8. The following definitions apply to this Affidavit and Attachments A and B:

a. "Chat," as used herein, refers to any kind of text communication transmitted over the Internet in real-time from sender to receiver. Chat messages are generally short in order to enable other participants to respond quickly and in a format, that resembles an oral conversation. This feature distinguishes chatting from other text-based online communications such as

Internet forums and email.

b. "Child Erotica," as used herein, means materials or items that are sexually arousing to persons having a sexual interest in minors but that are not necessarily, in and of themselves, obscene or that do not necessarily depict minors in sexually explicit poses or positions.

c. "Child pornography," as defined in 18 U.S.C. § 2256(8), is any visual depiction of sexually explicit conduct where (a) the production of the visual depiction involved the use of a minor engaged in sexually explicit conduct, (b) the visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaged in sexually explicit conduct, or (c) the visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaged in sexually explicit conduct.

d. "Cloud-based storage service," as used herein, refers to a publically accessible, online storage provider that collectors of child pornography can use to store and trade child pornography in larger volumes. Users of such a service can share links and associated passwords to their stored files with other traders of child pornography in order to grant access to their collections. Such services allow individuals to access these files easily through a wide variety of electronic devices such as desktop and laptop computers, mobile phones, and tablets, anywhere and at any time. An individual with the password to file stored on a cloud-based service does not need to be a user of the service to access the file. Access is free and readily available to anyone who has an internet connection.

e. "Computer," as used herein, refers to "an electronic, magnetic, optical, electrochemical, or other high speed data processing device performing logical or storage functions, and includes any data storage facility or communications facility directly related to or operating in conjunction with such device" and includes smartphones, and mobile phones and devices. See 18 U.S.C. § 1030(e)(1).

f. "Computer hardware," as used herein, consists of all equipment, which can receive, capture, collect, analyze, create, display, convert, store, conceal, or transmit electronic, magnetic, or similar computer impulses or data. Computer hardware includes any data-processing devices (including, but not limited to, central processing units, internal and peripheral storage devices such as fixed disks, external hard drives, floppy disk drives and diskettes, and other memory storage devices); peripheral input/output devices (including, but not limited to, keyboards, printers, video display monitors, and related communications devices such as cables and connections), as well as any devices, mechanisms, or parts that can be used to restrict access to computer hardware (including, but not limited to, physical keys and locks).

g. "Computer software," as used herein, is digital information, which a computer can interpret and any of its related components to direct the way they work. Computer software is stored in electronic, magnetic, or other digital form. It commonly includes programs to run operating systems, applications, and utilities.

h. "Computer-related documentation," as used herein, consists of

written, recorded, printed, or electronically stored material, which explains or illustrates how to configure or use computer hardware, computer software, or other related items.

i. "Computer passwords, pass-phrases and data security devices," as used herein, consist of information or items designed to restrict access to or hide computer software, documentation, or data. Data security devices may consist of hardware, software, or other programming code. A password or pass-phrase (a string of alphanumeric characters) usually operates as a sort of digital key to "unlock" particular data security devices. Data security hardware may include encryption devices, chips, and circuit boards. Data security software or digital code may include programming code that creates "test" keys or "hot" keys, which perform certain pre-set security functions when touched. Data security software or code may also encrypt, compress, hide, or "booby-trap" protected data to make it inaccessible or unusable, as well as reverse the process to restore it.

j. A provider of "Electronic Communication Service" ("ESP"), as defined in 18 U.S.C. § 2510(15), is any service that provides to users thereof the ability to send or receive wire or electronic communications. For example, "telephone companies and electronic mail companies" generally act as providers of electronic communication services. *See S. Rep. No. 99-541 (1986), reprinted in 1986 U.S.C.C.A.N. 3555, 3568.*

k. "Electronic Storage Device" includes but is not limited to external and internal hard drives, thumb drives, flash drives, SD cards, gaming devices with storage capability, storage discs (CDs and DVDs), cameras, cellular phones,

smart phones and phones with photo-taking and/or internet access capabilities, and any “cloud” storage by any provider.

1. “Encrypted compressed storage file” as used herein, refers to a computer file whose contents of one or more files are compressed for storage or transmission, one example is a “zip file.” The compressed storage file is used to consolidate large files or multiple files into one file for ease of transfer. The ESPs create the file then provide access to the file to law enforcement typically via the ESP’s law enforcement portal or special encrypted web link.

m. “File Transfer Protocol” (“FTP”), as used herein, is a standard network protocol used to transfer computer files from one host to another over a computer network, such as the Internet. FTP is built on client-server architecture and uses separate control and data connections between the client and the server.

n. “Internet Protocol address” or “IP address,” as used herein, refers to a unique number used by a computer to access the Internet. IP addresses can be “dynamic,” meaning that the ISP assigns a different unique number to a computer every time it accesses the Internet. IP addresses might also be “static,” if an ISP assigns a user’s computer a particular IP address that is used each time the computer accesses the Internet.

o. “Internet Service Providers” (“ISPs”), as used herein, are commercial organizations that are in business to provide individuals and businesses access to the Internet. ISPs provide a range of functions for their customers including access to the Internet, web hosting, e-mail, remote storage, and co-location of

computers and other communications equipment.

p. PhotoDNA is a process where a photograph is scanned by converting images into a grayscale format, creating a grid and assigning a numerical value to each tiny square. Those numerical values represent the “hash” of an image, or its “PhotoDNA signature.” The program protects user privacy in that it doesn’t look at images or scan photos; it simply matches a numerical hash against a database of known illegal images. A hash is an alphanumeric value assigned to an image based off a mathematical algorithm run against the data making up the file itself. This process has proven to be a reliable method of confirming like images.

q. “Records,” “documents,” and “materials,” as used herein, include all information recorded in any form, visual or aural, and by any means, whether in handmade, photographic, mechanical, electrical, electronic, or magnetic form.

r. “Remote Computing Service” (“RCS”), as defined in 18 U.S.C. § 2711(2), is the provision to the public of computer storage or processing services by means of an electronic communications system.

s. “Short Message Service” (“SMS”), as used herein, is a service used to send text messages to mobile phones. SMS is also often referred to as texting, sending text messages or text messaging. The service allows the user to send short text messages from one cell phone to another cell phone or from the Web to another cell phone. The term “computer,” as defined in 18 U.S.C. § 1030(e)(1), means an electronic, magnetic, optical, electrochemical, or other high speed data processing device performing logical, arithmetic, or storage functions, and

includes any data storage facility or communications facility directly related to or operating in conjunction with such device.

t. "Sexually explicit conduct," as defined in 18 U.S.C. § 2256(2), means actual or simulated (a) sexual intercourse, including genital-genital, oral-genital, or oral-anal, whether between persons of the same or opposite sex; (b) bestiality; (c) masturbation; (d) sadistic or masochistic abuse; or (e) lascivious exhibition of the genitals or pubic area of any person.

u. "Visual depiction," as defined in 18 U.S.C. § 2256(5), includes undeveloped film and videotape, data stored on computer disc or other electronic means which is capable of conversion into a visual image, and data which is capable of conversion into a visual image that has been transmitted by any means, whether or not stored in a permanent format.

v. "Zip file," as used herein is a type of "Encrypted compressed storage file," defined above in paragraph 1.

**BACKGROUND ON CHILD EXPLOITATION AND CHILD PORNOGRAPHY,
COMPUTERS, THE INTERNET, AND EMAIL**

9. I have had both training and experience in the investigation of computer-related crimes. Based on my training, experience, and knowledge, I know the following:

a. Computers and digital technology have dramatically changed the way in which individuals interested in child pornography interact with each other. Computers serve many functions for persons who exploit children online; they serve as a mechanism for meeting child-victims and communicate with them; they serve as a mechanism to get images of the

children and send images of themselves; computers serve as the manner in which persons who exploit children online can meet one another and compare notes.

b. Persons, who exploit children online, can now transfer printed photographs into a computer-readable format with a device known as a scanner and then distribute the images using email, like Gmail and Yahoo! Inc. Furthermore, with the advent of digital cameras and smartphones with cameras, when the photograph is taken it is saved as a digital file that can be directly transferred to a computer by simply connecting the camera or smartphone to the computer. In the last ten years, the resolution of pictures taken by digital cameras and smartphones has increased dramatically, meaning that such pictures have become sharper and crisper. Photos taken on a digital camera or smartphone may be stored on a removable memory card in the camera or smartphone. These memory cards often store up to 32 gigabytes of data, which provides enough space to store thousands of high-resolution photographs. Video camcorders, which once recorded video onto tapes or mini-CDs, now can save video footage in a digital format directly to a hard drive in the camera. The user can easily transfer video files from the camcorder to a computer.

c. A device known as a modem allows any computer to connect to another computer with telephone, cable, or wireless connection. People can make electronic contact to literally millions of computers around the world. The ability to produce child pornography easily, reproduce it

inexpensively, and market it anonymously (through electronic communications) has drastically changed the method of distribution and receipt of child pornography. Persons can transfer child pornography via electronic mail or through file transfer protocols (FTPs) to anyone with access to a computer and modem. Because of the proliferation of commercial services that provide electronic mail service, chat services (i.e., "instant messaging"), and easy access to the Internet, the computer is a preferred method of distribution and receipt of child pornographic materials.

d. The Internet affords individuals several different venues for meeting and exploiting children in a relatively secure and anonymous fashion.

e. Individuals also use online resources to exploit children, including services offered by Internet Portals such as Gmail and Hotmail, among others. The online services allow a user to set up an account with a remote computing service that provides e-mail services as well as electronic storage of computer files in any variety of formats. A user can set up an online storage account from any computer with access to the Internet. Even in cases where a user utilizes online storage, evidence of child pornography can be found on the user's computer or external media in most cases.

INFORMATION ON SNAPCHAT

10. Based on my training and experience and what I have learned

through other sources, I have learned the following about Snapchat:

- a. Snapchat Inc. is headquartered at 63 Market Street, Venice, California.
- b. Snapchat is a messaging application whereby users can take photos or records videos and send them to recipients. These messages are known as "Snaps." The following additional information regarding Snapchat is from a Snapchat, Inc. document entitled, "Snapchat Law Enforcement Guide", which indicates it was last updated in June, 2017:
- c. Definitions relevant to Snapchat:
 1. Snaps: A user takes a photo or video using their camera phone in real-time. The user then selects a time limit of 1-10 seconds for the receiver to view the photo or video. A user can elect to have the photo/video saved in their phone's photo gallery or just sent via Snapchat, without being saved. The photo/video can then be sent to a friend in Snapchat.
 2. Stories: A user can also add the photo/video Snap to their "Story". Depending on the user's privacy settings, the photos and videos added to a Story can be viewed by either all Snapchatters or just the user's friends for up to 24 hours.

3. Chat: A user can also type messages to friends within the Snapchat app using the Chat feature. A user sends a Chat message to a friend, and once it is viewed by both parties – and both parties swipe away from the Chat screen – the message will be cleared. Within the Snapchat app itself, a user can opt to save part of the Chat by tapping on the message (text or photo) that he or she wants to keep. The user can clear the message by tapping it again.
 4. Memories: Memories is Snapchat's cloud-storage service. Users can save their sent or unsent Snaps, posted Stories, and photos and videos from their phone's photo gallery in Memories. A user can also edit and send Snaps and create Stories from these Memories. Snaps, Stories, and other photos and videos saved in Memories are backed up by Snapchat and may remain in Memories until deleted by the user.
- d. If there are snaps that have not been viewed, the content of the snap is still retained until the intended party has viewed the snap. I have also been advised by a representative of Snapchat, that there is the possibility of some Snapchat information may be able to provide geolocation data, recorded when the user uploads items to Snapchat.
 - e. In addition to photos, videos, "Snaps" and stories, "Snapcash" is an online money transfer service offered by Snapchat. The actual business

platform is run by “SquareUp”, the distributor of a mobile credit card reader and application Square Register. Snapcash can be used to transfer money between Snapchat users using a linked, U.S. issued Visa or MasterCard debit card only; using credit cards is not permitted. Snapcash can only be sent to other users who have a linked debit card. Snapcash has a \$250 weekly limit but can be upgraded to a \$2,500 weekly limit. Users who upgrade have to provide their full name, date of birth, and Social Security number.

- f. While a Snapchat message may disappear, the record of who sent it and when still exists. Snapchat records and retains information that is roughly analogous to the call detail records maintained by telecommunications companies. This includes the date, time, sender, and recipient of a snap. Additionally, Snapchat stores the number of messages exchanged, which users they communicate with the most, message status including if and when the message was opened, and whether the receiver used the native screen capture function of their device to take a picture of the snap before it disappeared.
- g. Snapchat asks users to provide basic contact and personal identifying information to include date of birth. When a user creates an account they make a unique Snapchat username. This is the name visible to other Snapchat users. An email address is required to register a Snapchat account and a new user must also provide a mobile phone number. This phone number is verified during the registration process.

Snapchat sends an activation code, which must be entered before proceeding with the registration step. However, a user may elect to bypass entering a phone number so one may not always be present in the user's account. Snapchat also retains the account creation date.

h. Snapchat stores device information such as the model, operating system, operating system version, mobile device phone number, and mobile network information of devices used in conjunction with the service. They also collect unique device identifiers such as the Media Access Control (MAC) address and the International Mobile Equipment Identifier (IMEI) or Mobile Equipment Identifier (MEID) of devices used to access Snapchat. In the event the Snapchat user's application crashes, the company also collects a list of other installed applications on the device to detect any potential software conflicts.

11. From my training and experience, I am aware that when Electronic Service Providers, like Snapchat, provide access to an encrypted compressed storage file, typically a zip file, on its law enforcement portal. The link is to a file that is limited to the content of the account authorized by the search warrant and no other accounts. I am aware that the links Snapchat provides typically have a short expiration date, around 10 days in which to download the file.

PROBABLE CAUSE

12. On 2/20/19, DCI Special Agent (SA) John Barnes received a Cybertip (45691614) from the National Center of Missing and Exploited Children (NCMEC). He downloaded the information provided in the Cybertip and placed it

on a CD. SA Barnes also received the content listed in the Cybertip, along with the images that were supplied. A summary of the information is listed below:

Submitter:

Skout.com
The Meet Group Legal Team
100 Union Square Drive
New Hope, PA 18938 US

Executive Summary:

"The following is a brief overview of information contained in this CyberTipLine report: This report was submitted by the ESP Skout concerning Online Enticement and Unconfirmed Child Pornography. It appears the child victim claims to be 11 years old. It appears the suspect claims to be 45 years old. It appears the suspect and child victim engage in sexually explicit conversation. It appears the suspect entices the child victim to send sexually explicit images."

Incident Information

Incident Type: Child Pornography (possession, manufacture, and distribution)
Incident Time: 01-17-2019 20:35:41 UTC

Child Victim

Name: [REDACTED]
Email Address: [REDACTED]
ESP User ID: 142349380
IP Address: 174.255.6.119 (Login)

User or Person Being Reported

Name: will
Email Address: williamsanders816@yahoo.com
ESP User ID: 141016550
IP Address: 96.3.35.98 (Login)

13. The Cybertip provided the content of communication between

[REDACTED] and williamsanders816@yahoo.com

("Sanders"). Sanders was later identified as John Carl Sanders. [REDACTED] is 11 years old and lives in Rapid City. During the conversation, [REDACTED] had Sanders guess her age. She said she was below 18 and when Sanders guessed 11, she

responded with yes. Sanders told [REDACTED] that he was "45." Below are the messages provided in the Cybertip:

2018-12-22 20:03:35 <[REDACTED]>: Wyd
2018-12-22 20:03:24 <[REDACTED]>: Hey
2018-12-22 19:59:44 <williamsanders816@yahoo.com>: Hey
2018-12-22 19:20:24 <williamsanders816@yahoo.com>: Hey
2018-12-22 15:49:33 <[REDACTED]>: Hey
2018-12-22 15:49:27 <[REDACTED]>: Hey
2018-12-22 03:47:51 <williamsanders816@yahoo.com>: Hi
2018-12-22 03:20:55 <williamsanders816@yahoo.com>: Hey
2018-12-21 22:17:58 <williamsanders816@yahoo.com>: Hey
2018-12-21 21:06:21 <williamsanders816@yahoo.com>: In a bit ive got it just
got add you
2018-12-21 19:10:34 <[REDACTED]>: Hey
2018-12-21 18:41:06 <[REDACTED]>: Do you have it
2018-12-21 18:36:47 <[REDACTED]>: When are you going to
get it
2018-12-21 18:34:30 <williamsanders816@yahoo.com>: Not yet
2018-12-21 18:22:08 <[REDACTED]>: Did u
2018-12-21 18:21:15 <[REDACTED]>: Babe did you
2018-12-21 18:21:07 <[REDACTED]>: Did u add me
2018-12-21 18:15:50 <williamsanders816@yahoo.com>: Ok
2018-12-21 18:15:13 <[REDACTED]>: My Snapchat is
[REDACTED]
2018-12-21 18:15:00 <[REDACTED]>: I do
2018-12-21 18:14:53 <williamsanders816@yahoo.com>: Get snapchat
2018-12-21 18:14:36 <[REDACTED]>: So what do we do now
2018-12-21 18:12:14 <[REDACTED]>: No
2018-12-21 18:11:36 <williamsanders816@yahoo.com>: Do you have Snapchat
2018-12-21 18:08:28 <williamsanders816@yahoo.com>: Do the ps let you go
play
2018-12-21 18:05:24 <[REDACTED]>: Oh ok
2018-12-21 18:05:15 <williamsanders816@yahoo.com>: Got to be safe
2018-12-21 18:04:30 <[REDACTED]>: User sent picture
2018-12-21 18:04:00 <[REDACTED]>: Why
2018-12-21 18:03:49 <williamsanders816@yahoo.com>: Show me a picture of
your school book
2018-12-21 18:03:27 <[REDACTED]>: No
2018-12-21 18:03:25 <[REDACTED]>: Bo
2018-12-21 18:03:23 <[REDACTED]>: Bot
2018-12-21 18:02:58 <williamsanders816@yahoo.com>: I got to ask are you a
cop
2018-12-21 18:02:37 <williamsanders816@yahoo.com>: Ya
2018-12-21 17:56:31 <[REDACTED]>: Do you like it

2018-12-21 17:55:25 <[REDACTED]>: Hey
2018-12-21 17:21:06 <williamsanders816@yahoo.com>: Hey
2018-12-21 16:55:24 <[REDACTED]>: User sent picture
2018-12-21 16:54:57 <[REDACTED]>: User sent picture
2018-12-21 16:49:37 <[REDACTED]>: Babe
2018-12-21 16:49:36 <[REDACTED]>: Hey abe
2018-12-21 16:47:14 <[REDACTED]>: Hey
2018-12-21 15:03:07 <williamsanders816@yahoo.com>: Morning cutie
2018-12-21 05:26:40 <williamsanders816@yahoo.com>: Hi
2018-12-21 03:52:51 <williamsanders816@yahoo.com>: Yes ttyl
2018-12-21 03:52:34 <[REDACTED]om>: Lick my pussey
2018-12-21 03:52:25 <[REDACTED]>: Bye sexiest
2018-12-21 03:52:15 <williamsanders816@yahoo.com>: Bye cutie lyl
2018-12-21 03:51:56 <[REDACTED]>: Love you cutie
2018-12-21 03:51:22 <williamsanders816@yahoo.com>: Okay talk to you later
2018-12-21 03:51:12 <[REDACTED]>: Bye
2018-12-21 03:51:10 <[REDACTED]>: Bc my mom said
2018-12-21 03:50:46 <williamsanders816@yahoo.com>: Why do you have to go
2018-12-21 03:50:34 <[REDACTED]>: Well I have to go bye
2018-12-21 03:49:45 <[REDACTED]>: Ya
2018-12-21 03:49:25 <williamsanders816@yahoo.com>: So you are a virgin
2018-12-21 03:49:00 <[REDACTED]>: Straight
2018-12-21 03:48:47 <williamsanders816@yahoo.com>: So you are a straight
virgin
2018-12-21 03:48:32 <[REDACTED]>: Nooooo
2018-12-21 03:48:10 <williamsanders816@yahoo.com>: Ok have you started
your period Yet
2018-12-21 03:47:39 <[REDACTED]>: Just u
2018-12-21 03:47:38 <[REDACTED]>: None
2018-12-21 03:47:08 <williamsanders816@yahoo.com>: How many guys have
you been with
2018-12-21 03:47:05 <williamsanders816@yahoo.com>: User sent picture
2018-12-21 03:46:49 <[REDACTED]>: Show me your dick
2018-12-21 03:46:21 <williamsanders816@yahoo.com>: I bet
2018-12-21 03:46:09 <[REDACTED]>: I love old men like u
2018-12-21 03:46:04 <williamsanders816@yahoo.com>: Ya
2018-12-21 03:45:58 <[REDACTED]>: 45
2018-12-21 03:45:37 <williamsanders816@yahoo.com>: Old
2018-12-21 03:45:16 <[REDACTED]>: How old are u
2018-12-21 03:45:04 <williamsanders816@yahoo.com>: Yep
2018-12-21 03:44:58 <[REDACTED]>: Lick my pussey
2018-12-21 03:44:27 <williamsanders816@yahoo.com>: Ya 2
2018-12-21 03:44:07 <[REDACTED]>: Ya love u so much
2018-12-21 03:43:18 <williamsanders816@yahoo.com>: W(Y)(Y)
2018-12-21 03:42:32 <[REDACTED]>: Love it let have sex
2018-12-21 03:42:08 <williamsanders816@yahoo.com>: User sent picture

2018-12-21 03:41:42 <[REDACTED]>: User sent picture
2018-12-21 03:41:12 <[REDACTED]>: User sent picture
2018-12-21 03:41:02 <williamsanders816@yahoo.com>: Wow
2018-12-21 03:40:39 <[REDACTED]>: User sent picture
2018-12-21 03:40:26 <williamsanders816@yahoo.com>: Can you spread them
pussy lips wide and give me a close up
2018-12-21 03:40:04 <[REDACTED]>: Thank
2018-12-21 03:39:57 <williamsanders816@yahoo.com>: Love that pussy
2018-12-21 03:39:35 <[REDACTED]>: Lol love it
2018-12-21 03:39:28 <williamsanders816@yahoo.com>: User sent picture
2018-12-21 03:36:30 <[REDACTED]>: User sent picture
2018-12-21 03:36:00 <[REDACTED]>: Hey sorry
2018-12-21 03:07:01 <williamsanders816@yahoo.com>: When u want hit me
up send more pics
2018-12-21 02:03:39 <williamsanders816@yahoo.com>: Why u not talking any
more
2018-12-21 01:51:54 <williamsanders816@yahoo.com>: Hello
2018-12-21 01:49:32 <williamsanders816@yahoo.com>: Where do you live
2018-12-21 01:47:58 <[REDACTED]>: Idk
2018-12-21 01:47:18 <williamsanders816@yahoo.com>: How would we meet ??
How would u get away from parents.??
2018-12-21 01:44:59 <[REDACTED]>: Oh what do u mean
2018-12-21 01:44:40 <williamsanders816@yahoo.com>: I like you but I don't
like cops
2018-12-21 01:43:53 <[REDACTED]>: You like me or love me
2018-12-21 01:43:39 <williamsanders816@yahoo.com>: Yes yes
2018-12-21 01:37:15 <sasha.morin222@gmail.com>: Do u like me
2018-12-21 01:31:27 <[REDACTED]>: No text me on here and
why did you say well
2018-12-21 01:29:31 <williamsanders816@yahoo.com>: Text me 6058369113
2018-12-21 01:27:35 <[REDACTED]>: Why did you say well
2018-12-21 01:27:21 <[REDACTED]>: Well what
2018-12-21 01:25:51 <williamsanders816@yahoo.com>: Nice
2018-12-21 01:23:56 <williamsanders816@yahoo.com>: Oh my god
2018-12-21 01:23:02 <[REDACTED]>: Well what
2018-12-21 01:20:38 <[REDACTED]>: So do you
2018-12-21 01:19:36 <[REDACTED]>: User sent picture
2018-12-21 01:18:44 <[REDACTED]>: Well what
2018-12-21 01:18:31 <williamsanders816@yahoo.com>: Well
2018-12-21 01:18:09 <[REDACTED]>: Do u
2018-12-21 01:17:23 <[REDACTED]>: But don't you like
people 18 or up
2018-12-21 01:16:12 <williamsanders816@yahoo.com>: Ok yea
2018-12-21 01:14:58 <[REDACTED]>: Do u like it
2018-12-21 01:13:33 <[REDACTED]>: User sent picture
2018-12-21 01:07:43 <[REDACTED]>: Hey

2018-12-21 01:06:21 <[REDACTED]>: Ya but you are in to 18 year old and no younger
2018-12-21 01:05:30 <williamsanders816@yahoo.com>: Oh ok
2018-12-21 01:05:11 <[REDACTED]>: Have sex no fuck
2018-12-21 01:04:55 <williamsanders816@yahoo.com>: Fuck so one whats that meen
2018-12-21 01:04:16 <[REDACTED]>: And chat
2018-12-21 01:04:10 <[REDACTED]>: Fuck so one
2018-12-21 01:04:00 <williamsanders816@yahoo.com>: What u want to do
2018-12-21 01:03:04 <[REDACTED]>: So what
2018-12-21 01:01:19 <[REDACTED]>: Cool
2018-12-21 01:01:15 <[REDACTED]>: Oh ok cooo
2018-12-21 01:01:01 <williamsanders816@yahoo.com>: Looking for chat , friends on up to relationships
2018-12-21 01:00:15 <[REDACTED]>: Too
2018-12-21 01:00:14 <[REDACTED]>: Why do you have this app
2018-12-21 00:59:55 <williamsanders816@yahoo.com>: Ok so what do u want to do with a bf
2018-12-21 00:59:13 <[REDACTED]>: Lol
2018-12-21 00:59:07 <williamsanders816@yahoo.com>: User sent picture
2018-12-21 00:58:47 <[REDACTED]>: User sent picture
2018-12-21 00:57:59 <williamsanders816@yahoo.com>: Your first finger and middle finger in a v
2018-12-21 00:57:22 <[REDACTED]>: User sent picture
2018-12-21 00:56:39 <[REDACTED]>: Idk how to put the peace enjoy on my face
2018-12-21 00:56:13 <[REDACTED]>: Oh ok
2018-12-21 00:56:04 <williamsanders816@yahoo.com>: To where i know u are real
2018-12-21 00:55:13 <[REDACTED]>: Why
2018-12-21 00:55:00 <williamsanders816@yahoo.com>: Send me a selfie with the peace symbol in front of your face
2018-12-21 00:54:01 <[REDACTED]>: U
2018-12-21 00:53:48 <[REDACTED]>: A boyfriend
2018-12-21 00:53:40 <williamsanders816@yahoo.com>: So what r u looking for on here
2018-12-21 00:53:28 <[REDACTED]>: Ya
2018-12-21 00:53:13 <williamsanders816@yahoo.com>: Ok
2018-12-21 00:53:07 <[REDACTED]>: Yes
2018-12-21 00:53:03 <williamsanders816@yahoo.com>: 11
2018-12-21 00:52:59 <[REDACTED]>: Lower
2018-12-21 00:52:53 <williamsanders816@yahoo.com>: 12
2018-12-21 00:52:40 <[REDACTED]>: Lower
2018-12-21 00:51:47 <williamsanders816@yahoo.com>: 13
2018-12-21 00:51:27 <[REDACTED]>: Below 18

2018-12-21 00:51:17 <[REDACTED]>: I'm.....
2018-12-21 00:50:32 <[REDACTED]>: Oh well I'm not that old
and you will date a 18 year old gril and you are 45
2018-12-21 00:49:40 <williamsanders816@yahoo.com>: 18
2018-12-21 00:49:20 <[REDACTED]>: How old do you want
your girl friend to be
2018-12-21 00:48:51 <williamsanders816@yahoo.com>: How old i guessed
three times
2018-12-21 00:48:32 <[REDACTED]>: No how old would you
like to date
2018-12-21 00:48:04 <williamsanders816@yahoo.com>: 14
2018-12-21 00:47:34 <[REDACTED]>: One
2018-12-21 00:47:26 <[REDACTED]>: On more
2018-12-21 00:47:07 <williamsanders816@yahoo.com>: 13
2018-12-21 00:46:37 <[REDACTED]>: What do u think
2018-12-21 00:45:44 <[REDACTED]>: Two more guess
2018-12-21 00:45:27 <williamsanders816@yahoo.com>: 15
2018-12-21 00:45:15 <[REDACTED]>: Guess
2018-12-21 00:44:49 <[REDACTED]>: I'm.....
2018-12-21 00:44:41 <williamsanders816@yahoo.com>: 18 or older
2018-12-21 00:44:28 <[REDACTED]>: So are you going to
2018-12-21 00:42:31 <[REDACTED]>: Ya you would frist
answer my question
2018-12-21 00:42:07 <williamsanders816@yahoo.com>: Just tell me i wont
block u
2018-12-21 00:42:00 <[REDACTED]>: Old
2018-12-21 00:41:55 <[REDACTED]>: How ols
2018-12-21 00:40:43 <[REDACTED]>: How old do you want
me to be how old do you how old do you want yourgirlfriend to be
2018-12-21 00:39:49 <williamsanders816@yahoo.com>: Cuz id like to know
2018-12-21 00:39:28 <[REDACTED]>: Why
2018-12-21 00:39:19 <williamsanders816@yahoo.com>: And what are you
looking for on this site
2018-12-21 00:38:42 <williamsanders816@yahoo.com>: Tell the truth
2018-12-20 23:34:44 <[REDACTED]>: How old do you want
me to be
2018-12-20 23:29:53 <[REDACTED]>: Not that old I know you
are going to block me when I tell you so ya
2018-12-20 15:06:28 <williamsanders816@yahoo.com>: So how old are you
2018-12-20 00:40:02 <[REDACTED]>: Hey
2018-12-19 11:55:23 <williamsanders816@yahoo.com>: 45
2018-12-19 05:38:06 <[REDACTED]>: How old are u
2018-12-19 05:30:41 <williamsanders816@yahoo.com>: How are you ?? How
old are you
2018-12-19 05:22:56 <[REDACTED]>: Hi
2018-12-19 05:19:39 <williamsanders816@yahoo.com>: Hi

14. Although the Cybertip stated there was only one uploaded file, it contained 15 images. The file was a zipped file that was labeled: 141016550_142349380.zip. The following describes the images SA Barnes observed in the Cybertip:

Filename: a3.jpg

This image is of a male who penis is exposed with pubic hair. There appears to be a black article of clothing behind the penis, possibly underwear. It should be noted that when John Sanders was interviewed on 2/27/19, he admitted to sending pictures of his penis.

Filename: a4.jpg

This image is of a male whose penis ejaculating on a black article of clothing, possible underwear. It should be noted that when John Sanders was interviewed on 2/27/19, he admitted to sending pictures of his penis.

Filename: a8.jpg

This image appears to be the same image as a3.jpg

Filename: a12.jpg

This image is of an individual whose left breast is exposed with the nipple visible. The breast appears to have hair on it. The individual is holding up two fingers in a "peace sign." The individual's face is not visible in the image. It should be noted that when John Sanders was interviewed on 2/27/19, he admitted to sending this picture.

Filename: b0.jpg

This image is of what appears to be a bedroom with a pink book bag on the floor. The pink book bag has a purple folder in the bag. The carpet is green and there is a white dresser and vacuum in the image.

Filename: b1.jpg

This image is of a female whose underwear is not visible in the image. Her vagina and anus are exposed, and she is laying on what appears to be a yellow bed sheet. She is wearing a grey shirt and only a small portion of her mouth is exposed. I am unable to determine the age or who the female this is at this point.

Filename: b2.jpg

This image is of a female's vagina taken from about her waistline. This is a close up image of her vagina and her legs are open. I am unable to determine the age or who the female this is at this point.

Filename: b5.jpg

This image is of a female whose vagina is exposed. It appears that the device used to take the picture is laying on the floor and the girl is standing above the device with no pants or underwear on. Her vagina is exposed, and she appears to have on a grey shirt. The walls in the bathroom are of wood siding and are

in the background of multiple images provided in the Cybertip. There is also a white object on the ceiling that appears to be either a light or a heater. I am unable to determine at this time what the object is. I believe this to be an image of [REDACTED] (11 years old), this is based on comparing this image to other images where her face is clearly visible.

Filename: b6.jpg:

This image is of a female with her vagina exposed. This female has one finger on each side of vagina and appears to be spreading her vagina open. The female is wearing a grey shirt. In this image, you can see a small portion of the same light/heater that is noted in image "b5". I believe this to be an image of [REDACTED] based on comparing it to other images where her face is clearly visible.

Filename: b7.jpg

This image is of a female who vagina is exposed. It appears that this female is taking the picture with a device that is right below her vagina. The female is wearing a grey shirt. I believe this to be an image of [REDACTED] based on comparing it to other images where her face is clearly visible.

Filename: b9.jpg

I believe this image is of [REDACTED] and she is completely nude and is sitting on the floor of a bathroom. One breast is completely exposed, and her other breast is partially covered by her right wrist. Both her vagina and anus are exposed. In the image, she has her right index finger right in front of her vagina. This image appears to have the same wood siding in the background as other images provided in the Cybertip.

Filename: b10.jpg

This image is of [REDACTED] and she is standing nude in front of what appears to be a mirror. Her breasts and vagina are exposed in this image. This image appears to have the same wood siding in the background as other images provided in the Cybertip.

Filename: b11.jpg

This image is of a female buttocks and the female is wearing a grey shirt. The female is not wearing any underwear, but the vagina cannot be clearly seen due to the shadow in the image. This image appears have the same wood siding in the background and the light/heater as in other images provided in the Cybertip. I believe this to be an image of [REDACTED] based on comparing to other images where her face is clearly visible.

Filename: b13.jpg

This image is of [REDACTED] and she is holding up two fingers in front of her face as if she is making the "peace sign". She is wearing a grey tank top in this image and had watch appears to be red paint on her hand. There is no nudity in this image.

Filename: b14.jpg

This image is of [REDACTED] as if she is taking a "Selfie" photograph. She is wearing a grey tank top in this image. There is no nudity in this image.

15. SA Barnes contacted South Middle School Resource Office Nick Strampe, and he provided SA Barnes with a school picture of [REDACTED] from their data system. SA Barnes used this image as a comparison photograph in the images that showed her face.

16. The 15 images described above were the ones provided in the Cybertip. Below are the fifteen times an image was sent in the Skout message between [REDACTED] and Sanders. These are directly from the Skout messages.

- a. 2018-12-21 18:04:30 <[REDACTED]>: User sent picture
- b. 2018-12-21 16:55:24 <[REDACTED]>: User sent picture
- c. 2018-12-21 16:54:57 <[REDACTED]>: User sent picture
- d. 2018-12-21 03:47:05 <williamsanders816@yahoo.com>: User sent picture
- e. 2018-12-21 03:42:08 <williamsanders816@yahoo.com>: User sent picture
- f. 2018-12-21 03:41:42 <[REDACTED]>: User sent picture
- g. 2018-12-21 03:41:12 <[REDACTED]>: User sent picture
- h. 2018-12-21 03:40:39 <[REDACTED]>: User sent picture
- i. 2018-12-21 03:39:28 <williamsanders816@yahoo.com>: User sent picture
- j. 2018-12-21 03:36:30 <[REDACTED]>: User sent picture
- k. 2018-12-21 01:19:36 <[REDACTED]>: User sent picture
- l. 2018-12-21 01:13:33 <[REDACTED]>: User sent picture
- m. 2018-12-21 00:59:07 <williamsanders816@yahoo.com>: User sent picture
- n. 2018-12-21 00:58:47 <[REDACTED]>: User sent picture
- o. 2018-12-21 00:57:22 <[REDACTED]>: User sent picture

17. The Cybertip also provided the following:

Adult User Profile:

- Adult information
- Adult id: 141016550
- Adult email: williamsanders816@yahoo.com
- Adult username: williamsanders816@yahoo.com
- Adult age: 45
- Adult birthdate: 1973-[REDACTED] 00:00:00
- Adult created: 2018-11-13 05:59:51
- Adult last seen: 2018-12-25 16:53:44

18. Skout provided multiple IP addresses regarding the login history of this individual. SA Barnes was able to determine these IP addresses are leased/owned by the following companies: MidContinent Communication, Vast, and AT&T.

19. The Cybertip also provided the following:

Minor User Profile:

- Minor information
- Minor id: 142349380
- Minor email: [REDACTED]
- Minor username: [REDACTED]
- Minor age: 31
- Minor birthdate: 1987-[REDACTED] 00:00:00
- Minor created: 2018-12-19 04:21:42
- Minor last seen: 2018-12-22 19:46:27

20. Skout provided multiple IP addresses regarding the login history of this individual. SA Barnes was able to determine that these IP addresses were leased/owned by Verizon Wireless.

21. SA Barnes sent a preservation request to SnapChat, Inc. regarding the SnapChat user account of [REDACTED]. He sent this to SnapChat because [REDACTED] provided this username to Sanders during the Skout chats. SnapChat, Inc contacted SA Barnes and informed him that they received the preservation and assigned it Case #38150748.

22. On 2/21/19, SA Barnes sent a subpoena to Midcontinent Communications requesting subscriber information regarding the IP addresses and time frames provided by Skout, Inc.:

96.3.35.98 From 11/13/2018 through 12/25/2018

24.111.154.224 11/26/2018 through 11/27/2018

23. That same day, SA Barnes received the subpoena results from Midcontinent Communications with the following information:

IP address 96.3.35.98 Results:

Acct Nbr: 7031910-13

MICHELLE SANDERS

BOX ELDER SD 57719-9436

Home Phone: 9136050228

Business Phone: NONE

SSN#: [REDACTED] Driver License: NONE

Status: A Status Date: 20180226 Install Date: 20170921

Connect Date: 20180226

IP Address 24.111.154.224

Acct Nbr: 1412202-01

BLACK HILLS MEDICAL BUILDING

677 CATHEDRAL DR

RAPID CITY SD 57701-6018

Business Phone: 6057168467

24. On 2/21/19, SA Barnes sent a subpoena to Clarity Telecom, DBA Broadband requesting subscriber information regarding an IP address at [REDACTED] times that were provided in the Skout Cybertip. On 2/22/19, he received the following subpoena results from Clarity Telecom:

Customer information:

Acct Nbr 82583-01

Status A ACTV 2/04/15

HOLIDAY INN EXPRESS

645 E DISK DR

RAPID CITY, SD 57701-7812

605-348-8719

605-355-9090

jacqueo@tkohotels.com

Last 4 of SSN given on account is

Information provided:

"In response to your subpoena request, 208.117.96.228 is an IP from our pool of static IPs for fiber internet customers. We have assigned a subnet, 208.117.96.224/27 for Holiday Inn Express in Rapid City. The IPs within that subnet, including .228, are assigned at the customer's discretion on their own

equipment. Vast can only verify that the subnet was assigned to the customer during the timeframe requested." For complete details, refer to the subpoena results.

25. The adult user profile information that was provided with the Cybertip showed that the individual's age was 45 and a birthdate of 1973- [REDACTED]. It should be noted that during the messages, Sanders told [REDACTED] that he was 45 years old. SA Barnes searched the Rapid City Police Department records systems for a "William Sanders" and did not find one. He then conducted a search for individuals with the last name Sanders who are 45 years old. During this search, SA Barnes found John C Sanders with a DOB of 1973- [REDACTED]. According to the records system, his address was [REDACTED] 6, in Box Elder, SD. John Sanders was listed as a registered sex offender.

26. SA Barnes contacted Sex offender Compliance Officer Joleen Ollerich and she informed him that John Sanders moved here from Missouri and that Sanders is currently on parole with Parole Officer Jack Gray. SA Barnes contacted Parole Officer Jack Gray and he confirmed that the address he has listed for John Sanders is [REDACTED] Box Elder, SD. Gray informed SA Barnes that the phone number he has listed for Sanders is 605-863-5843. Gray told him that Michelle Sanders is John's wife and that John works at the Holiday Inn Express off Catron Blvd. on the south side of town.

27. On 2/21/19, SA Barnes sent a subpoena to Midcontinent Communications requesting subscriber information regarding two IP addresses that Skout provided in the Cybertip. He was informed that IP address 96.3.35.98 belongs to Michelle Sanders with an address of [REDACTED], Box Elder,

SD. The Skout user account (Williamsanders816@yahoo.com) was created at this IP address, the account was accessed many times from this IP address, and this was the last IP address used to login to the account. This IP address was used each day of the conversation between the account "William Sanders" and [REDACTED]. The only other IP addresses used during this time are owned/leased by AT&T and which are likely linked to a cellular device using cellular data.

28. On 2/21/19, SA Barnes sent a subpoena to Clarity Telecom, DBA VAST Broadband requesting subscriber information regarding an IP address that was provided in the Skout Cybertip. He was informed that the IP address of 208.117.96.228 belongs to Holiday Inn Express (645 E Disk Dr, Rapid City, SD). They informed me that they assigned a subnet, 208.117.96.224/27 for Holiday Inn Express in Rapid City. The IPs within that subnet, including .228, are assigned at the customer's discretion on their own equipment. Again, Parole Office Jack Gray informed me that John Sanders works at Holiday Inn Express.

29. On 2/25/2019, US Magistrate Judge Daneta Wollmann signed and approved a federal search warrant for the property located at [REDACTED] [REDACTED], Box Elder, SD, the residence of John and Michelle Sanders.

30. On 2/27/19, law enforcement officers of the ICAC task force executed the search warrant at John and Michelle Sander's residence. Det. Harding and SA Barnes interviewed John Sanders while other agents executed the search warrant. During the interview, Sanders admitted it was he communicating with the 11-year-old juvenile female. Sanders confirmed that he

knew she was 11-years-old and that included him requesting images from her. SA Barnes read the following message from the Skout conversation to Sanders, "Can you spread them pussy lips wide and give me a close up?" He asked Sanders if that was Sander and Sanders said, "yes." Sanders admitted that it was his penis in the pictures sent to this 11-year-old juvenile female. Sanders also wrote an apology letter to the parents of this juvenile female.

31. During the interview with John Sanders on 2/27/19, he provided us his SnapChat user name. Sanders told the interviewing agents that his SnapChat user name is "Billsays605". Sanders informed SA Barnes that he had sent her a "Snap" also known as a message. Sanders told the interviewing agents that he sent her one and then blocked her. On 2/28/19, SA Barnes sent a preservation request to SnapChat, Inc regarding the account, "Billsays605." Using an Undercover SnapChat account, SA Barnes was able to find this account on SnapChat and took a screen shot of it.

32. On 2/28/19, [REDACTED] was forensically interviewed at the Child Advocacy Center. Sasha did not disclose about the contact with John Sanders on Skout. When the interviewer suggested they take a break, [REDACTED] asked to see her mother. [REDACTED] then became emotional and the interview was ended at that time.

33. After the interview, SA Barnes spoke with Sasha's mother, Amber Morin. He showed Amber the image, "bO.jpg" that was provided the Cybertip. Amber informed me that was from their old residence in Custer and that is her daughter's book bag located in the picture. She informed SA Barnes that they

moved from this residence on 12/28/18. It should be noted that the conversations between John Sanders and [REDACTED] took place 12/19/18 through 12/22/18. Amber also informed SA Barnes that the bathroom at this residence had wood siding that made it look like a log cabin, like that in the photos.

34. SA Barnes obtained a search warrant for the Billysays605 Snapchat account and executed it by serving it on Snapchat on June 24, 2019. Since that time, SA Barnes has left ICAC and I have taken over the investigation. On August 1, 2019, I received an email from Snapchat in reference to the warrant, providing a link to the content of the account. Snapchat informed me that the link would expire in 10 days so I downloaded the linked file, saved the content securely but I have not examined or viewed any of the content, nor have I provided anyone else access to the content of the file.

**CHARACTERISTICS COMMON TO INDIVIDUALS WHO HAVE A SEXUAL
INTEREST IN CHILDREN AND/OR WHO RECEIVE AND/OR POSSESS
CHILD PORNOGRAPHY**

35. Based on my previous investigative experience related to child exploitation investigations, and the training and experience of other law enforcement officers with whom I have had discussions, I know there are certain characteristics common to individuals who have a sexual interest in children and/or receive, or possess images of child pornography:

- a. Individuals who have a sexual interest in children and/or receive, or possess images of child pornography may receive sexual gratification, stimulation, and satisfaction from contact with children, or from fantasies

they may have viewing children engaged in sexual activity or in sexually suggestive poses, such as in person, in photographs, or other visual media, or from literature describing such activity.

b. Individuals who have a sexual interest in children and/or receive, or possess images of child pornography may collect sexually explicit or suggestive materials, in a variety of media, including photographs, magazines, motion pictures, videotapes, books, slides and/or drawings or other visual media. Individuals who have a sexual interest in children or images of children oftentimes use these materials for their own sexual arousal and gratification. Further, they may use these materials to lower the inhibitions of children they are attempting to seduce, to arouse the selected child partner, or to demonstrate the desired sexual acts.

c. Individuals who have a sexual interest in children and/or receive, or possess images of child pornography almost always possess and maintain their hard copies of child pornographic material, that is, their pictures, films, video tapes, magazines, negatives, photographs, correspondence, mailing lists, books, tape recordings, etc., in the privacy and security of their home or some other secure location. Individuals who have a sexual interest in children or images of children often retain pictures, films, photographs, negatives, magazines, correspondence, books, tape recordings, mailing lists, child erotica, and videotapes for many years.

d. Likewise, individuals who have a sexual interest in children and/or

receive, or possess images of child pornography often maintain their child pornography images in a digital or electronic format in a safe, secure and private environment, such as a computer and surrounding area. The user often maintains these child pornography images for several years and are kept close by, usually at the possessor's residence, inside the possessor's vehicle, or, at times, on their person, to enable the individual to view the child pornography images, which are valued highly.

e. Individuals who have a sexual interest in children and/or receive, or possess images of child pornography also may correspond with and/or meet others to share information and materials, rarely destroy correspondence from other child pornography distributors/possessors, conceal such correspondence as they do their sexually explicit material, and often maintain lists of names, addresses, and telephone numbers of individuals with whom they have been in contact and who share the same interests in child pornography.

f. Individuals who have a sexual interest in children and/or receive, or possess images of child pornography prefer not to be without their child pornography for any prolonged time-period. Law enforcement officers involved in the investigation of child pornography throughout the world have documented this behavior. Thus, even if the unknown user uses a portable device (such as a mobile cell phone) to access the internet and child pornography, it is more likely than not that evidence of this access will be found within the electronic account.

JURISDICTION

36. This Court has jurisdiction to issue the requested warrant because it is "a magistrate judge with authority in the district... has authority to issue a warrant to search for and seize . . . property located within the district." Fed.R.Crim.P. 41(b)(1).

LIMIT ON SCOPE OF SEARCH

37. I submit that if during the search, agents find evidence of crimes not set forth in this affidavit, another agent or I will seek a separate warrant.

REQUEST FOR SEALING OF MATTER

38. I request that the Court order sealing this case until further order of the Court. The documents filed in the case discuss an ongoing criminal investigation that is neither public nor known to all the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may give targets an opportunity to flee, destroy or tamper with evidence, change patterns of behavior, notify confederates, or otherwise seriously jeopardize the investigation.

CONCLUSION

28. Based on my training and experience, and the facts as set forth in this affidavit, there is probable cause to believe that in the download of the encrypted compressed storage file provided by Snapchat in compliance with the previous warrant, there exists evidence of a crime, contraband, instrumentalities, and/or fruits of violations of criminal laws as specified herein, including identification of the person who used the electronic account described in Attachment A. The

facts outlined above show that the Snapchat account, listed in Attachment A has been used for the exploitation of children using the internet including violations of 18 U.S.C. §§ 2251, 2252, 2252A and 2422(b) (production of child pornography and enticement of a minor using the internet) which items are more specifically described in Attachment B. There is probable cause to believe that John Sanders, the user of the Snapchat account, produced and received child pornography, and enticed a minor using the internet and thereby violated the aforementioned statutes in the District of South Dakota and elsewhere. Therefore, there is probable cause to search the download of the encrypted compressed storage file, which contains the content of the account associated with Snapchat account: Billysays605.

Dated: 9/13/19


Investigator Brian Freeouf
Pennington County Sheriff's Office and
ICAC

Sworn to before me and:

- signed in my presence.
 submitted, attested to, and acknowledged by reliable electronic means.

this 13th day of September, 2019


Daneta Wollmann
United States Magistrate Judge

ATTACHMENT A
Property to Be Searched

This warrant applies to the contents of and information associated with the downloaded version of the encrypted compressed storage file provided by Snapchat, regarding the account associated with Snapchat User name Billysays605. The encrypted compressed storage file has been downloaded from Snapchat's law enforcement portal, but not reviewed and is in secure storage at ICAC.

ATTACHMENT B
Information to be searched

All information described above in Section I that was created or saved after the creation of the Snapchat account associated with encrypted compressed storage file for the Snapchat account that is the subject of this warrant and that constitutes contraband or fruits, evidence or instrumentalities of violations of 18 U.S.C. §§ 2251, 2252, 2252A, and 2422(b) (production, receipt and possession of child pornography and enticement of a minor using the internet) pertaining to the following matters:

1. Child pornography and child erotica;
2. Records, information, and items relating to violations of the statutes described above including:
 - a. Records and information relating to the identity or location of the persons suspected of violating the statutes described above; and
 - b. Records and information relating to sexual exploitation of children, including correspondence and communications between persons exploiting minors online;
3. Identifying information for any person employing, using, persuading, inducing, enticing, or coercing any minor to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting a live visual depiction of such conduct, or attempting or conspiring to do so;

4. Identifying information regarding any person knowingly distributing, receiving, or possessing child pornography as defined at 18 U.S.C. § 2256(8), or attempting or conspiring to do so;
5. Evidence indicating how and when the Snapchat account was accessed or used, to determine the geographic and chronological context of account access, use, or events relating to the crime under investigation and to the account owner or user;
6. Evidence indicating the account users state of mind as it relates to the crime under investigation;
7. The identity of the person(s) who created or used the user ID, including records that help reveal the whereabouts of such person(s);
8. Records relating to who created, used, or communicated with the account listed in Attachment A about matters relating to the criminal activity listed above, including identification of coconspirators, accomplices, and aiders and abettors in the commission of the above offenses, including records that help reveal their whereabouts;
9. Credit card information and money wire transmittal information, including bills, payment records, and any receipts, for payments to third party money remitters, including Xoom.com, Western Union, PayPal, and MoneyGram;
10. Evidence of who used, owned, or controlled the Snapchat account associated with downloaded file described in Attachment A, including evidence of their whereabouts;

11. Evidence of the times the user utilized the account associated with the file download described in Attachment A.

UNITED STATES DISTRICT COURT

for the

District of South Dakota

IN THE MATTER OF THE SEARCH OF:

The content of the encrypted compressed storage file
containing the search warrant production of Snapchat

Case No. 5:19-mj-115

User Account: Billysays605

downloaded and currently in the possession of ICAC

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the District of South Dakota (*identify the person or describe the property to be searched and give its location*):

See **ATTACHMENT A**, attached hereto and incorporated by reference

I find that the affidavit, or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (*identify the person or describe the property to be seized*):

Evidence of a crime in violation of 18 U.S.C. § 2422(b), as described in **ATTACHMENT B**, attached hereto and incorporated by reference.

I find that the affidavit, or any recorded testimony, establishes probable cause to search and seize the person or property.

YOU ARE COMMANDED to execute this warrant on or before Sept 27, 2019 (*not to exceed 14 days*)

in the daytime 6:00 a.m. to 10 p.m. at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to Daneta Wollmann.

(United States Magistrate Judge)

Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (*check the appropriate box*)

for _____ days (*not to exceed 30*). until, the facts justifying, the later specific date of _____.

I find that good cause has been established to authorize the officer executing this warrant to not provide notice prior to the execution of the search warrant, i.e., "no knock".

Date and time issued: 9-13-19 12:30pm



Judge's signature

City and state: Rapid City, SD

Daneta Wollmann, U.S. Magistrate

Printed name and title

Emailed to AUSA Collings and Agent - s1t

Return		
Case No.: 5:19-mj-115	Date and time warrant executed:	Copy of warrant and inventory left with:
Inventory made in the presence of :		
Inventory of the property taken and name of any person(s) seized:		
Certification		
I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.		
Date: _____		
<i>Executing officer's signature</i>		
<hr/> <i>Printed name and title</i>		